

JUL 27 2005

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FACSIMILE COVER SHEET

DATE: JULY 27, 2005

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): 24

OUR REFERENCE: 215851

FROM: JOHN KILYK, JR.
REGISTRATION NO. 30,763

DIRECT LINE: (312) 616-5665

TO: MAIL STOP PETITION
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

FACSIMILE NUMBER: (571) 273-8300

IN RE APPLN. OF: Ikemoto et al.
APPLICATION NO. 10/086,076
FILED: February 28, 2002

Docket No.: 215851

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

- Communication. Total Pages: 2
- Form PTO-1083 (dated February 12, 2004). Total Pages 2
- Amendment (dated February 12, 2004). Total Pages 6
- Ikemoto Cancellation of Claim 17 (dated February 12, 2004) with Federal Express Receipt. Total Pages: 4.
- Information Disclosure Statement (dated January 4, 2005). Total Pages 4.
- Form PTO-1449 (dated January 4, 2005). Total Pages 1.
- Ikemoto Submission of IDS (dated January 4, 2005) with Federal Express Receipt. Total Pages: 4.

A confirmation copy of the transmitted document will:
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/086,076

Applicant: Ikemoto et al.

Filed: February 28, 2002

TC/AU: 1621

Examiner: M. L. Shippen

Docket No.: 215851

Customer No.: 23460

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

In response to the Examiner's request, Applicants submit herewith (and, to the extent not already entered, seek entry of) the following two documents, which were filed with the Board of Patent Appeals and Interferences on the indicated dates with respect to the present application in Interference No. 105,075. The originals of these two documents were filed with the Board, and Applicants, by their undersigned attorney, represent that the two enclosed documents are true and accurate copies of the referenced documents as submitted to the Board.

(1) "Amendment" dated February 12, 2004, which was filed with the Board that same day by Federal Express (see accompanying transmittal document to Board and Federal Express acknowledgment of Board receipt), and

(2) "Information Disclosure Statement" dated January 4, 2005, which was filed with the Board that same day by Federal Express (see accompanying transmittal document to Board and Federal Express acknowledgment of Board receipt).

Application No. 10/086,076

Communication


Applicants also request that the Examiner provide their undersigned attorney with copies of the following Examiner-initialed PTO-1449 forms to confirm consideration of the references listed thereon:

- (a) PTO-1449 form accompanying IDS dated February 28, 2002 (please note that reference AE was not Examiner-initialed on the PTO-1449 form provided with the Office Action dated August 8, 2002),
- (b) PTO-1449 form accompanying IDS dated July 2, 2003 (references AR-AU),
- (c) PTO-1449 form accompanying IDS dated August 27, 2003 (references AV-AW), and
- (d) PTO-1449 form accompanying IDS dated January 4, 2005 (reference AX).

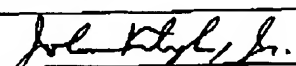
In addition, Applicants note that a Terminal Disclaimer dated September 3, 2002, was filed in the present application to obviate an obviousness-type double patenting rejection of claim 17 over U.S. Patent 6,310,222 (see Office Action dated August 8, 2002, and Response dated September 3, 2002). Inasmuch as claim 17 was canceled by Applicants by way of the aforementioned "Amendment" dated February 17, 2004, in response to an Order of the Board, the reason for the Terminal Disclaimer no longer exists. Accordingly, Applicants are concurrently filing a Petition for the withdrawal of the Terminal Disclaimer.

The Examiner is invited to telephone the undersigned attorney with any questions regarding this Communication or the enclosed documents.

Respectfully submitted,


John Kilyk, Jr., Reg. No. 30763
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: July 27, 2005

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, <input checked="" type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	John Kilyk, Jr.		
Signature		Date	July 27, 2005

Page 2 of 2

FORM PTO-1083

RECEIVED
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JUL 27 2005

PATENT
Attorney Docket No. 215851
Client Reference No. 20755-div2
Date: February 12, 2004

In re Application of: Ikemoto et al.

Application No. 10/086,076

Filed: February 28, 2002

For: PRODUCTION METHOD OF CITALOPRAM, INTERMEDIATE THEREFOR AND PRODUCTION METHOD OF THE INTERMEDIATE

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a amendment in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE		none			\$ 0.00		\$ 0.00	
	subtract time extension fee previously paid	none			(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	8	MINUS	20	=0	x 9=	\$	x 18=	\$0.00
INDEPENDENT	1	MINUS	8	=0	x 43=	\$	x 86=	\$0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 145=	\$	+ 290=	\$0.00
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0.00

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
LEYDIG, VOIT & MAYER, LTD.By 
John Kilyk, Jr., Reg. No. 30,763Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780

FORM PTO-1083

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CENTRAL FAX CENTER

JUL 27 2005

PATENT
 Attorney Docket No. 215851
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Commissioner for Patents

P.O. Box 1450

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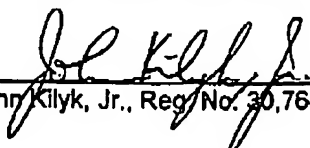
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TIME EXTENSION PETITION FEE			none		\$ 0.00		\$ 0.00		
		subtract time extension fee previously paid		none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
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 By 
 John Kilyk, Jr., Reg. No. 30,763